

Thomsen from Exeter, Susan Frazier and her husband, Dick, from Fairmont. Item number 5, motions, Mr. Clerk.

CLERK: Mr. President, Senator Wickersham would like to withdraw LB 573. In order to accomplish that, we need to cancel the hearing. Therefore, he has filed a motion to suspend Rule 3, Section 13, to permit cancellation of hearing on LB 573.

SPEAKER WITHEM: Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Mr. Speaker. With the indulgence of the body, I'm sorry to bother you with this this morning. I suppose I could just let the bill go to a hearing and bother the committee instead of the whole body. But it is appropriate that the bill be withdrawn. The bill was introduced to have a vehicle to deal with a potential redistricting of my 49th legislative district. As you recall, Sheridan County is one of the counties that was not left whole in the last redistricting. Sheridan County objected, filed a lawsuit. It eventually went to the Supreme Court and if that lawsuit had been successful and the Supreme Court had determined that Sheridan County had to be kept whole, that is in one legislative district, legislation would have been necessary to comply with the Supreme Court mandate. LB 543 was introduced as a vehicle to comply with any court decision that would have required a change in the district lines. The Supreme Court, on March 3, 1995, rejected the suit filed by Mr. Fred Hlava and others objecting to the division of Sheridan County. The Supreme Court said that Sheridan County did not have to be kept whole and, therefore, there is no basis for bringing 543 to the body. And I would simply ask your indulgence in allowing me to suspend the rules and to withdraw the bill which is set for hearing on Friday.

SPEAKER WITHEM: Any discussion on the motion to suspend the rules? Hearing none, Senator Wickersham, I assume there is no closing. The question is, shall the rules pertaining to committee hearings be suspended? All in favor vote aye, opposed vote nay. Senator Wickersham.

SENATOR WICKERSHAM: Mr. Speaker, I would...I guess I don't really have any option except to ask for a call of the house. We need 30 votes, it's my belief.

SPEAKER WITHEM: The question is, shall the house go under call?